

Notice of Allowability

Application No.

10/713,070

Examiner

Raquel Y. Gordon

Applicant(s)

SILVERBROOK

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

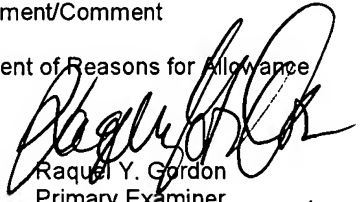
1. ☒ This communication is responsive to Response and Terminal Disclaimer filed 8/20/2004.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ The drawings filed on 17 November 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10/302,556.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Raquel Y. Gordon
Primary Examiner
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Terminal Disclaimer Proper And Now Recorded

The terminal disclaimers filed on 08/20/2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent Nos. 6,666,543 and 6,588,882 and US Application no. 10/713095 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Reasons for allowance

The following is a statement of reasons for allowance:

Upon further consideration, the inclusion of the claimed core for a printhead assembly, as claimed in the combination, is not found in the prior art. This difference is considered patentable over the prior art and reflects an improvement in the field of endeavor since the following claim limitations reflect an improvement in the field of endeavor and over the prior art of record.

With respect to claim 1, the primary reason for allowance is the recitation of the claimed combination: a micro-electromechanical device that comprises a substrate that incorporates drive circuitry; an elongate actuator that has a fixed end that is connected to the substrate that the actuator can receive an electrical signal from the drive circuitry and a movable end, the actuator being configured so that the movable end is displaced relative to the substrate on receipt of the electrical signal;

A motion-transmitting structure that is fast with the movable end of the actuator, the motion transmitting structure being connected to to a working member so that movement of the actuator is translated to the working member; and

A covering formation that is positioned on the substrate so that the substrate, the covering formation and the motion-transmitting structure define an air chamber, the actuator being positioned within the air chamber.

An extensive and exhaustive search by the Examiner revealed no patent or other non-patent literature which anticipate the claimed combination, disproved novelty of the claims, or deemed the claims to be obvious.

Hence, the independent claim is allowed, and the dependent claims are allowed since they depend from an independent base claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

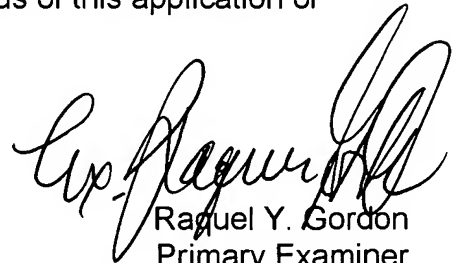
Contact Information

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Raquel Y. Gordon, whose telephone number is (571) 272-2145. The Examiner can normally be reached on M Tu Th and F, 8:30-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. A fax number is available upon request.

Any inquiry of a general nature or relating to the status of this application or proceeding may be directed to the Examiner or Supervisor.

A handwritten signature in black ink, appearing to read 'Raguel Y. Gordon', is written over the printed name and title.

Raguel Y. Gordon
Primary Examiner
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September 4, 2004